



November 20, 2012

John McKenzie  
County of San Luis Obispo  
Planning and Building Department  
976 Osos Street, Room 200  
San Luis Obispo, CA 93408

RE: Comments Submitted in Response to the Notice of Preparation Issued 9/20/13 Regarding Los Osos HCP  
EIR/NEPA Draft Document Preparation

1. Name of Contact Person – Lexie Bell, Assistant Director, Morro Bay National Estuary Program  
Address: 601 Embarcadero, Suite 11, Morro Bay CA 93402  
Email: [lbell@mbnep.org](mailto:lbell@mbnep.org)  
Phone: 805-772-3834, ext. 16
2. Approval Authority – The Morro Bay National Estuary Program is required by the Federal Clean Water Act to have an up-to-date, approved (by the governor of the state of California and the U.S. EPA) Comprehensive Conservation and Management Plan (Plan). Section 320(b)(7) of the Clean Water Act requires that each National Estuary Program review federal programs, as consistent with Executive Order 12372, to assess whether those programs are consistent with the Plan. The requirement consists of two parts: (a) a one-time review of current federal activities or financial assistance for consistency with the Plan, and (b) the development of a process for continued, ongoing future review of future activities. The Morro Bay National Estuary Program conducted its initial review when drafting the first Plan in 2001. The Morro Bay National Estuary Program currently meets its federal consistency requirement by using the California Coastal Commission's existing federal consistency review process. The Coastal Commission has agreed to notify the Morro Bay National Estuary Program of any federal activities that may affect the coastal area in or near Morro Bay and its watershed.

The Morro Bay National Estuary Program has no direct permitting or approval authorities.

The regulations referenced are as follows:

Federal Clean Water Act, Section 320 -

[http://water.epa.gov/type/oceb/nep/upload/2007\\_04\\_09\\_estuaries\\_nepprimeruments\\_srAppendixA.pdf](http://water.epa.gov/type/oceb/nep/upload/2007_04_09_estuaries_nepprimeruments_srAppendixA.pdf)

Executive Order 12372 - <http://www.fws.gov/policy/library/rgeo12372.pdf>

3. Environmental Information – The Morro Bay National Estuary Program would expect that the EIR/NEPA documentation would meet all requirements of the California Coastal Commission.
4. Permit Stipulations/Conditions – None applicable.
5. Alternatives – No specific recommendations at this time.

6. Reasonably Foreseeable Projects, Programs or Plans – The Morro Bay National Estuary Program would expect to engage in a number of restoration and conservation projects related to our mission “to protect and restore Morro Bay for people and wildlife” in the Los Osos area in the future. Activities in the future might include land acquisitions and/or easements (as primary entity or supporting other nonprofit efforts), restoration to native habitats on property held by the Morro Bay National Estuary Program or our partners, work to bolster the use of Mutt Mitts in Los Osos, water quality monitoring in various locations, and education and outreach about Morro Bay and the surrounding environment. The Morro Bay National Estuary Program is also currently engaged in creating a restoration and conservation plan for the Morro Bay watershed to prioritize our efforts in the area. The plan will be complete by early 2015. The Morro Bay National Estuary Program does on occasion apply for environmental permits for restoration and monitoring work in and around the study area for the Los Osos Habitat Conservation Plan. Currently, our staff and volunteers monitor water quality in the wet season at two sites on Los Osos Valley Road that are within the HCP boundaries. Additionally, we sometimes complete dry season monitoring within Los Osos and are planning on monitoring freshwater seeps in Sweet Springs in the coming year. Bacteria monitoring data is shared with various local entities, including the Regional Water Board and the County of San Luis Obispo. Additional data may be shared as requested or seen in our data summary reports (see more information on these reports in question 7).
7. Relevant Information – The Characterization Report for the Morro Bay Estuary that was completed in preparation for the drafting of the 2001 Comprehensive Conservation and Management Plan may be useful. It can be obtained through our office at 601 Embarcadero, Suite 11, Morro Bay CA. Phone number – 805-772-3834. The final version only exists in hard copies. The characterization included a number of background studies on the Morro Bay estuary that are also available through our office. In addition, the Morro Bay National Estuary Program completes an annual or semiannual data summary report on all monitoring efforts throughout the watershed, including water quality, suspended sediment, and eelgrass. The most recent reports can be found on our website at [http://mbnep.org/Library/data\\_summaries.html](http://mbnep.org/Library/data_summaries.html). Older reports can be obtained by contacting our office.

The current version of our Comprehensive Conservation and Management Plan (referenced in question 2 above) can be found on our website at <http://mbnep.org/Library/ccmp.html>.
8. Further Comments – None at this time.

Sincerely,

Lexie Bell  
Assistant Director